

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 5:14-cr-00244

DONALD L. BLANKENSHIP,

Defendant.

ORDER

The Court has reviewed the *Emergency Motion and Memorandum in Support of Motion of Certain Victims, the Family Members of Certain Victims of the Upper Big Branch Mine Explosion, and the West Virginia Association for Justice to Intervene for the Limited Purpose of Moving the Court to Limit the Scope of its January 7, 2015 Gag Order* (Document 69), filed on January 2, 2015. Therein, the prospective interveners “request this Court to enter an appropriate order granting their motion to intervene and to reconsider and vacate the January 7, 2015 gag order.” (*Id.* at 11.) On March 5, 2015, the Fourth Circuit Court of Appeals entered judgment in Case No. 15-1179 that granted a writ of mandamus and directed this Court to enter an order vacating its January 7, 2015 *Order* (Document 64).

Accordingly, in view of the Fourth Circuit opinion in Case No. 15-1179, the Court **ORDERS** that its January 7, 2015 *Order* (Document 64) be **VACATED**. The Court further **ORDERS** that the *Emergency Motion and Memorandum in Support of Motion of Certain Victims, the Family Members of Certain Victims of the Upper Big Branch Mine Explosion, and the West*

Virginia Association for Justice to Intervene for the Limited Purpose of Moving the Court to Limit the Scope of its January 7, 2015 Gag Order (Document 69) be **TERMINATED AS MOOT**.

The Court **DIRECTS** the Clerk to send a copy of this Order to the Defendant and counsel, to the United States Attorney, to the United States Probation Office, and to the Office of the United States Marshal.

ENTER: March 6, 2015

A handwritten signature in blue ink, reading "Irene C. Berger", is written over a horizontal line.

IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA